

IN RE: PETITION FOR VARIANCE  
W/S Maple Road, 1120' N of  
Holly Neck Road  
(1030 Maple Road)  
15th Election District  
5th Councilmanic District  
  
Dennis M. Ayres, et ux  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 96-493-A  
\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 1030 Maple Road, located in the vicinity of Holly Neck Road in the community of Cedar Beach in Essex. The Petition was filed by the owners of the property, Dennis M. and Donna L. Ayres. The Petitioners seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 18 feet each in lieu of the minimum required 50 feet from any lot line, for a proposed dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Dennis and Donna Ayres, property owners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a combined gross area of .68 acres, more or less, zoned R.C. 5 and is presently unimproved. The property is located in the community of Cedar Beach which was developed many years ago with 50-foot wide lots. The subject property, also known as Lots 28 and 29 of Cedar Beach, is approximately 100 feet wide and approximately 299 feet deep. The Petitioners have owned the property since 1982 and have been awaiting the arrival of public sewerage prior to constructing a home on the property. Public

ORDER RECEIVED FOR FILING

Date

By

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sewerage is now available and the Petitioners wish to construct a single family dwelling on the property. However, due to its R.C.5 zoning, a minimum side setback of 50 feet is required and thus, the requested variances are necessary in order to proceed as proposed. It should be noted that few, if any, of the homes existing in this community meet this 50-foot setback requirement. In the opinion of this Deputy Zoning Commissioner, the 18-foot side setbacks proposed are more than sufficient, given the other setbacks that exist throughout the Cedar Beach community.

It should also be noted that this property is located within the Chesapeake Bay Critical Areas near Sue Creek, and as such, is subject to compliance with Critical Areas legislation. Therefore, the granting of this relief is contingent upon Petitioners' compliance with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) to minimize any impact the proposed development might have on the Bay and its tributaries.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

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Date 7/15/96  
By [Signature]

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15<sup>th</sup> day of July, 1996 that the Petition for Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 18 feet each in lieu of the minimum required 50 feet from any lot line, for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

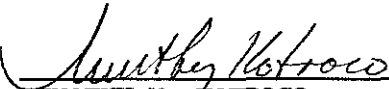
- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order;

RECEIVED

however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) Compliance with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) as to Critical Areas requirements.

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

10/10

KEY

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

July 15, 1996

Mr. & Mrs. Dennis M. Ayres  
1652 Cape May Road  
Baltimore, Maryland 21221

RE: PETITION FOR VARIANCE  
W/S Maple Road, 1120' N of Holly Neck Road  
(1030 Maple Road)  
15th Election District - 5th Councilmanic District  
Dennis M. Ayres, et ux - Petitioners  
Case No. 96-493-A

Dear Mr. & Mrs. Ayres:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Chesapeake Bay Critical Areas Commission  
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel

✓  
File

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# Petition for Variance

CRITICAL  
AREA

to the Zoning Commissioner of Baltimore County

for the property located at

96-493-A 1030  
MAPLE RD LOTS 28+29

which is presently zoned RC5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3B.3

To allow a side yard setback of 18 ft. for each side in lieu of the minimum required setbacks of 50' from any lot line.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

To be discussed at hearing

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s):

DENNIS M. AYRES

(Type or Print Name)

Dennis M Ayres

Signature

DONNA L. AYRES

(Type or Print Name)

Donna L. Ayres

Signature

1652 CAPE MAY RD 687-9358

Address

Phone No

BALTO. MD 21221

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

DENNIS M AYRES

Name

1652 CAPE MAY RD 687-9358

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

9/11/96

# 491

Printed with Soybean Ink  
on Recycled Paper

MICROFILMED

ORDER RECEIVED FOR FILING

Date

# EXAMPLE 3 -- Zoning Description

96-493-A

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR (1020) LOTS 28 & 29 MAPLE RD.  
(address)

Beginning at a point on the WEST side of MAPLE RD.  
(north, south, east or west)

which is 20'  
name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 1120' NORTH of the  
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street HOLY NECK ROAD  
(name of street)

which is 20' wide. \*Being Lot # 28 & 29  
(number of feet of right-of-way width)

Block —, Section # — in the subdivision of CEDAR BEACH  
(name of subdivision)

as recorded in Baltimore County Plat Book # 7, Folio # 186

containing 29,500 sq. ft. 0.68 Acres Also known as 1030 Maple Road  
(square feet or acres) (property address)

and located in the 15 Election District, 5 Councilmanic District.

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber \_\_, Folio \_\_" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

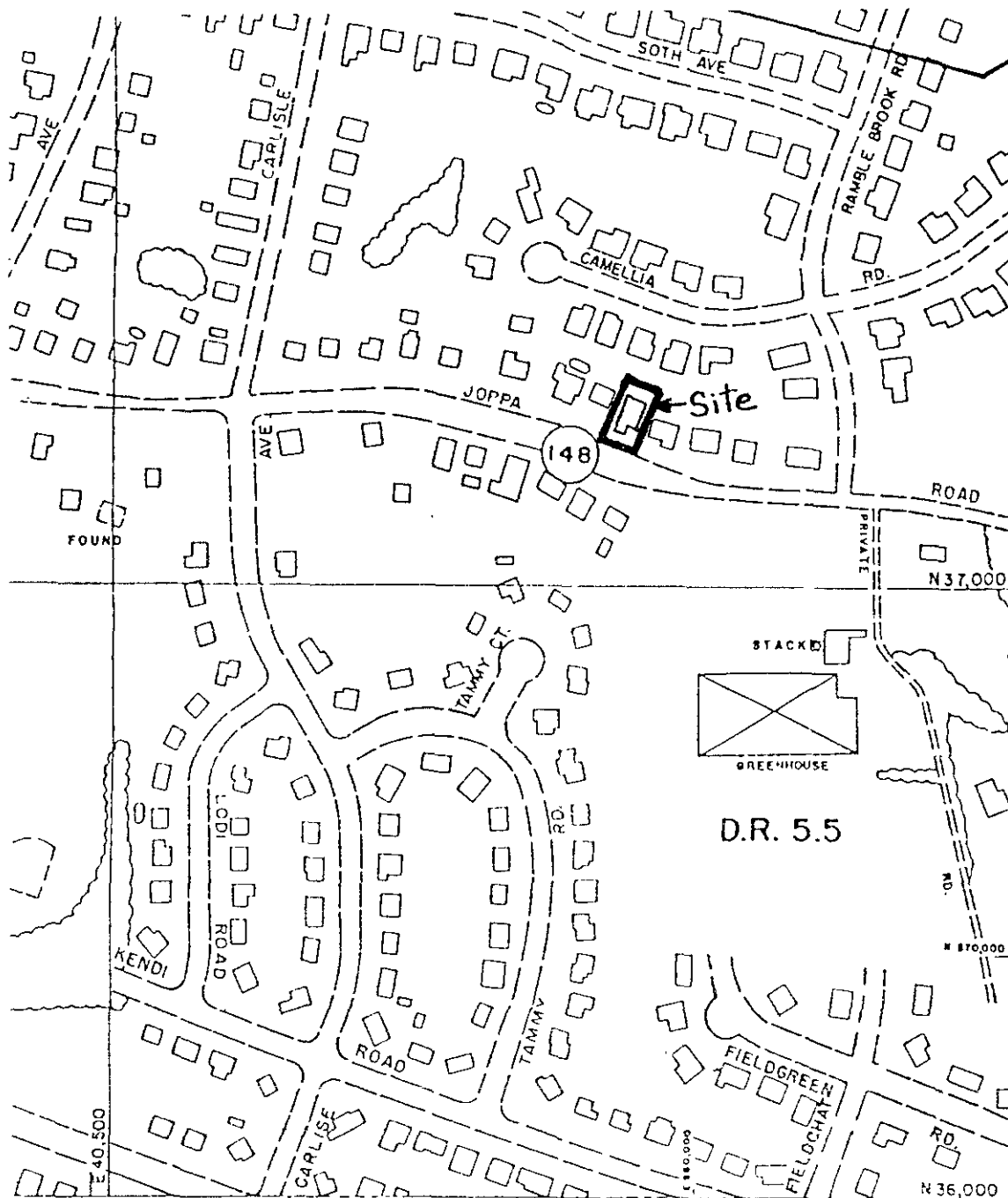
Typical metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 27' 03" E.87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.

RECORDED

# 491

# EXAMPLE 4 -- Zoning Map

1 COPY



SCALE	LOCATION	SHEET
1" = 200' ±	PERRY HALL	N.E.
DATE OF PHOTOGRAPHY JANUARY 1986		10 - G



**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

96-1193-A

District 1-28 Date of Posting 6/22/96

Posted for: Vonnie

Petitioner: Dennis & Donna Hynes

Location of property: 1030 North Rd, W3

Location of Signs: Along roadway on property being zoned

Remarks: \_\_\_\_\_

Posted by M. Hynes Date of return: 6/28/96

Number of Signs: 1



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**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 116, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #86-483-A  
(Item 491)  
1030 Maple Road  
W/S Maple Road, 1120'  
N of Old Holy Mark Road  
15th Election District  
5th Councilmanic  
Legal Owner(s):  
Dennis M. Ayres and  
Donna L. Ayres

**Variance:** to allow a side yard setback of 18 feet for each side in lieu of the required setbacks of 50 feet from any lot line.  
Hearing: Friday, July 12, 1996 at 9:30 a.m. in Rm. 106, County Office Building.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Call 887-3353.

(2) For information concerning the file and/or hearing, Please Call 887-3391.

6/29/96 June 27 C62776

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 6/27, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/27, 1996.

*A. H. Emerson*  
THE JEFFERSONIAN,  
LEGAL AD. - TOWSON

NOTED & FILED

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 92005E

96-493-A

DATE 6-11-96

ACCOUNT R-001-615-000

AMOUNT \$ 85.00

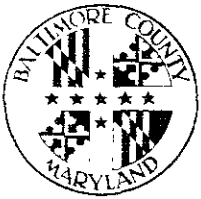
RECEIVED FROM: AYLES

OIO variance \$ 5000 Item # 491

FOR: OIO Sign \$ 3500 Token # JRF

MICROFILMED \$ 85.00

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER  
VALIDATION OR SIGNATURE OF CASHIER



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 491 Petitioner: Dennis M Ayres  
Location: 1030 MAPLE RD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DENNIS M. AYRES

ADDRESS: 1652 CAPE MAY RD

BALTO MD 21221

PHONE NUMBER: 687-9358

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# Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: \_\_\_\_\_

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: \_\_\_\_\_

plat book # \_\_\_\_\_, folio # \_\_\_\_\_, lot # \_\_\_\_\_, section # \_\_\_\_\_

OWNER: \_\_\_\_\_



North

date: \_\_\_\_\_  
prepared by: \_\_\_\_\_

Scale of Drawing: 1" = \_\_\_\_\_



Vicinity Map  
scale: 1" = 1000'

## LOCATION INFORMATION

Election District: \_\_\_\_\_

Councilmanic District: \_\_\_\_\_

1" = 200' scale map#: \_\_\_\_\_

Zoning: \_\_\_\_\_

Lot size: \_\_\_\_\_ acreage \_\_\_\_\_ square feet

public private  
SEWER: ☐ ☐

WATER: ☐ ☐

Chesapeake Bay Critical Area: ☐ yes ☐ no

Prior Zoning Hearings: \_\_\_\_\_

## Zoning Office USE ONLY:

reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE#: \_\_\_\_\_

TO: PUTUXENT PUBLISHING COMPANY  
June 27, 1996 Issue - Jeffersonian

Please forward billing to:

Dennis M. Ayres  
1652 Cape May Road  
Baltimore, Maryland 21221  
687-9358

---

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-493-A (Item 491)  
1030 Maple Road  
W/S Maple Road, 1120' N of c/l Holly Neck Road  
15th Election District - 5th Councilmanic  
Legal Owner(s): Dennis M. Ayres and Donna L. Ayers

Variance to allow a side yard setback of 18 feet for each side in lieu of the required setbacks of 50 feet from any lot line.

HEARING: FRIDAY, JULY 12, 1996 at 9:30 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMITT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

June 20, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-493-A (Item 491)  
1030 Maple Road  
W/S Maple Road, 1120' N of c/l Holly Neck Road  
15th Election District - 5th Councilmanic  
Legal Owner(s): Dennis M. Ayres and Donna L. Ayers

Variance to allow a side yard setback of 18 feet for each side in lieu of the required setbacks of 50 feet from any lot line.

HEARING: FRIDAY, JULY 12, 1996 at 9:30 a.m. in Room 106, County Office Building.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: Dennis and Donna Ayres

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

July 5, 1996

Dennis and Donna Ayres  
1652 Cape May Road  
Baltimore, MD 21221

RE: Item No.: 491  
Case No.: 96-493-A  
Petitioner: Dennis Ayres, et ux

Dear Mr. and Mrs. Ayres:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 11, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over a dark, rectangular stamp or seal.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

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**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

6-21-96

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 491 (JRF)

Dear Ms. Watson:

This office has reviewed the referenced plan and we have no objection to approval as the development does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

*for* *Bob Small*

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Permits and Development  
Management

**DATE:** June 27, 1996

**FROM:** Pat Keller, Director  
Office of Planning

**SUBJECT:** Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item No. Item Nos. 491, 500, 502, 503, 504, 505, 506, 507, and 508

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

*Jeffrey W. Long*

Division Chief:

*Dary L. Kerns*

PK/JL

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 06/26/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JUNE 24, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 490, 491, 493, 494, 495, 496, 497, 498 and 499.

2 1996

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink  
on Recycled Paper

MICROFILMED

RE: PETITION FOR VARIANCE  
1030 Maple Road, W/S Maple Road, 1120'  
W of c/l Holly Neck Road, 15th Election  
District, 5th Councilmanic

Dennis and Donna Ayers  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE NO. 96-493-A

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28<sup>th</sup> day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to Dennis and Donna Ayers, 1652 Cape May Road, Baltimore, MD 21221, Petitioners.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN

MICROFILMED

OFFICE OF PLANNING  
JUN 21 1996

INTER-OFFICE CORRESPONDENCE  
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation  
Attn: Ervin McDaniel  
County Courts Bldg, Rm 406  
401 Bosley Av  
Towson, MD 21204  
FROM: Arnold Jablon, Director, Department of Permits & Development Management

8  
Permit Number

RE: Undersized Lots

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ DENNIS AYRES 1652 CAPE MAY RD BALTO MD 21221 687-9358  
Print Name of Applicant Address Telephone Number  
☐ Lot Address MAPLE RD LOTS 28+29 Election District 15 Council District 5 Square Feet 29500  
Lot Location: N E S W / side / corner of 1120 feet from N E S W corner of HOLLY NECK RD  
(Street) (Street)  
Land Owner DENNIS + DONNA AYRES Tax Account Number  
Address 1652 CAPE MAY RD Telephone Number 687-9358  
BALTO MD 21221

☐ CHECKLIST OF MATERIALS: to be submitted for design review by the Office of Planning & Community Conservation  
PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	—	—
2. Permit Application	—	—
3. Site Plan	—	—
Property (3 copies)	—	—
Topo Map (available in Rm 206 C.O.B.) (2 copies) (please label site clearly)	—	—
4. Building Elevation Drawings	—	—
5. Photographs (please label all photos clearly)	—	—
Adjoining Buildings	—	—
Surrounding Neighborhood	—	—

Residential Processing Fee Paid  
Codes 030 & 080 (\$65)  
Accepted by  
Date

ITEM # 491

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

☒ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

MICROFILMED

Signed by:

Ervin McDaniel

for the Director, Office of Planning & Community Conservation

Date:

6/27/96

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING  
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2  
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted  
for filing by \_\_\_\_\_ on \_\_\_\_\_ Date (A)

A sign indicating the proposed Building must be posted on the property for  
fifteen (15) days before a decision can be rendered. The cost of filing is  
\$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period,  
a decision can be expected within approximately four weeks. However, if a valid  
demand is received by the closing date, then the decision shall only be rendered  
after the required public special hearing.

\*SUGGESTED POSTING DATE \_\_\_\_\_ D (15 Days Before C)

DATE POSTED \_\_\_\_\_

HEARING REQUESTED-YES \_\_\_\_\_ NO \_\_\_\_\_ -DATE \_\_\_\_\_

CLOSING DAY (LAST DAY FOR HEARING DEMAND) \_\_\_\_\_ C (B-3 Work Days)

TENTATIVE DECISION DATE \_\_\_\_\_ B (A + 30 Days)

\*Usually within 15 days of filing

-----  
CERTIFICATE OF POSTING

District \_\_\_\_\_

Location of property: \_\_\_\_\_

Posted by: \_\_\_\_\_ Date of Posting: \_\_\_\_\_  
Signature

Number of Signs: \_\_\_\_\_

NO SURVEY, NO CONSIDERATION, NO TITLE EXAMINATION  
THIS DEED, Made this 27 day of January 1989, by  
and between Lawrence C. Heinle, Personal Representative of the  
Estate of Lawrence J. Heinle, deceased, party of the first  
part, "Grantor", and Mildred M. Heinle, party of the second  
part, "Grantee".

WHEREAS, Lawrence J. Heinle departed this life on or  
about October 29, 1987, being vested with the title in and to  
the lot of ground hereinafter described and, by his Last Will  
and Testament duly probated in the Orphan's Court of Baltimore  
County and recorded in the Office of the Register of Wills for  
Baltimore County, Estate No. 62897, appointed Lawrence C.  
Heinle, Personal Representative; and

WHEREAS, by the provisions contained in the will of  
Lawrence J. Heinle, dated August 22, 1980 pursuant to  
disclaimer and assignment of heirs, and by the provisions of  
Section 9-105, Estates and Trusts Article of the Annotated  
Code of Maryland, the Personal Representative is required to  
execute and deliver a Deed of Distribution transferring title  
to the real property mentioned therein to the distributee, the  
party of the second part,

NOW, THEREFORE, THIS DEED WITNESSETH; That for no  
consideration and pursuant to the powers recited above,  
Lawrence C. Heinle, Personal Representative of the Estate of  
Lawrence J. Heinle, deceased, the party of the first part does  
grant and convey unto Mildred M. Heinle, party of the second  
part, her personal representatives and assigns, in fee simple,  
all that lot or parcel of ground situate in Baltimore County,  
in the State of Maryland, and described as follows, that is to  
say:

All that lot of ground situated in the 15th Election  
District of Baltimore County and more particularly described  
as follows:

BEING the lot known as Number 27 as shown on the Plat of

LAW FIRM  
ROMADKA,  
GONTRUM  
& HENNEGAN  
ESSEX, MARYLAND

WITNESSED

Cedar Beach, which plat is duly recorded among the plat records of Baltimore County in Plat Book WP C No. 7, folio 186.

BEING the same lot ground which by a Deed dated March 12, 1968, and recorded among the Land Records of Baltimore County in Liber O.T.S. 4857, folio 068 was granted and conveyed by Ronald DeWitt Copenspire to Lawrence J. Heinle; Lawrence J. Heinle having departed this life on October 29, 1987.

THE IMPROVEMENTS being known as 1100 Maple Road, Baltimore, Maryland 21221.

TOGETHER with the improvements thereon, and the rights and appurtenances thereto belonging or appertaining.

TO HAVE AND TO HOLD the above granted property and the reversion thereto, unto the said Mildred M. Heinle, her personal representatives and assigns forever, in fee simple.

WITNESS the hand and seal of the said Grantor. .

WITNESS;

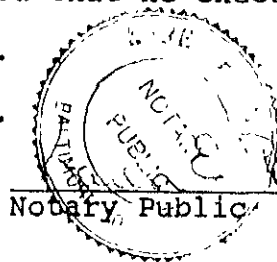
Karen E. Becker

Lawrence C. Heinle (SEAL)  
Lawrence C. Heinle, Personal  
Representative of the Estate of  
Lawrence J. Heinle

STATE OF MARYLAND, BALTIMORE COUNTY, TO WIT:

I HEREBY CERTIFY that on this 27<sup>th</sup> day of January, 1989, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Lawrence C. Heinle, Personal Representative of the Estate of Lawrence J. Heinle, deceased, the within named Grantor, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and who signed the same in my presence, and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and seal.



My commission expires: 1-1-90



5063-167  
168

96-493-A

LIBER 5063 PAGE 167

LE EXAMINATION MADE NOR REQUESTED \*\*\*  
NO CONSIDERATION PAID \*\*\*

*William R. Sutton*

THIS DEED, Made this 2nd day of January, in the year one thousand nine hundred and seventy, by and between MARGARET E. BALDI, widow, of Baltimore County, in the State of Maryland, of the first part, and LOUIS D. BALDI, of the second part.

WITNESSETH, That in consideration of the sum of Five Dollars (\$5.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said party of the first part does grant and convey unto the said LOUIS D. BALDI, the survivor of him, the survivor's heirs and assigns, in fee simple, all that lot or parcel of ground, situate, lying and being in the Fifteenth Election District of Baltimore County, in the State of Maryland, aforesaid, and described as follows, that is to say: -

BEING and comprising Lot No. 30 (thirty) on the Plat of CEDAR BEACH, which Plat is recorded among the Plat Records of Baltimore County, in Plat Book W.P.C. No. 7, folio 186.

BEING the same lot of ground which by Deed dated the 27th day of February, 1952, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2081, folio 219, was granted and conveyed by LAWRENCE S. SIMPSON and HELEN SIMPSON, his wife, unto LOUIS G. BALDI and MARGARET E. BALDI, his wife. The said LOUIS G. BALDI having departed this life on the 7th day of November, 1967, thereby vesting absolute title in the within Grantor.

TRANSFER TAX NOT REQUIRED  
1-5-70  
W. R. Richardson  
Director of Finance

Per: *[Signature]*  
Authorized Signature  
Rec 6, Jan 12

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises, above described and mentioned and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said LOUIS D. BALDI, the survivor of him, the survivor's heirs and assigns, in fee simple.

AND the said party of the first part hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed; that she will warrant specially the property granted and that she will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of said Grantor.

WITNESS:

Mason W. Lewis

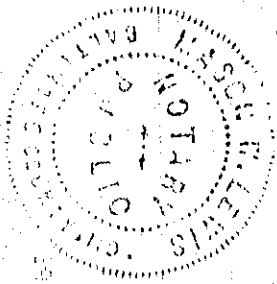
Margaret E. Baldi (SEAL)  
MARGARET E. BALDI

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, That on this 2nd day of January, 1970,  
before me, the subscriber, a Notary Public of the State of  
Maryland, in and for the County of Baltimore, aforesaid, personally  
appeared MARGARET E. BALDI and she acknowledged the foregoing  
Deed to be her act.

AS WITNESS my hand and Notarial Seal.

Maxwell Lewis  
NOTARY PUBLIC



Received for record JAN 5 1970 at 40P W  
 C. Deville/T. Gesnall, Clerk  
Wm. R. Sutton  
 Receipt No. 285299

# Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: 1030 MAPLE RD (LOTS 28 + 29)

Subdivision name: CEDAR BEACH  
 plat book# 7, folio# 186, lot# , section#

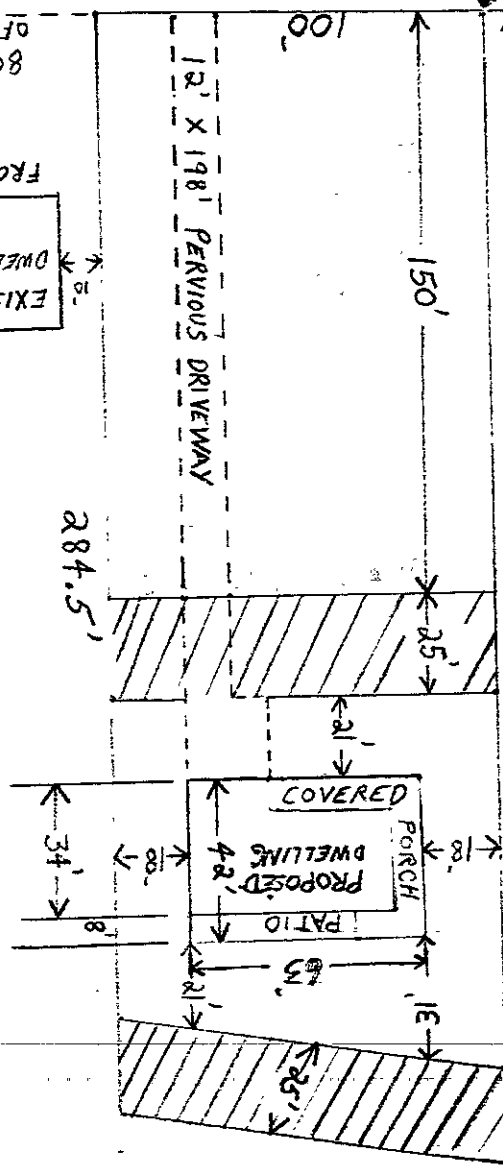
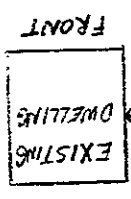
OWNER: DENNIS + DONNA AYRES

96-493-A

THERE WILL BE NO CLEARING, GRADING OR CONSTRUCTION IN WETLAND OR FOREST BUFFER AREAS, EXCEPT AS ALLOWED BY DEPA.

SLASHED LINE AREA IS 25' BUFFER. SHADED AREA NON-TIDAL DESIGNATES 100' X 150' WETLAND.

DWELLING WILL HAVE 9% IMPERVIOUS SURFACE 12% OF WETLANDS TO BE CLEARED FOR DRIVEWAY



UNDEVELOPED WOODED LOT # 27

295'

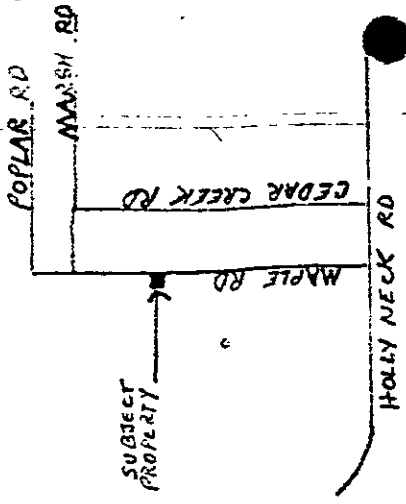


North

date: 2-20-92  
 prepared by: DENNIS AYRES

Scale of Drawing: 1" = 50'

**AYRES**



Vicinity Map  
 scale: 1"=1000'

## LOCATION INFORMATION

Councilmanic District: 5

Election District: 15

1"-200' scale map#: SE 2J

Zoning: RC 5

Lot size: 2.68 acreage 29500 square feet

SEWER: ☒ public ☐ private  
 WATER: ☒ YES ☐ NO  
 Chesapeake Bay Critical Area: ☒ YES ☐ NO

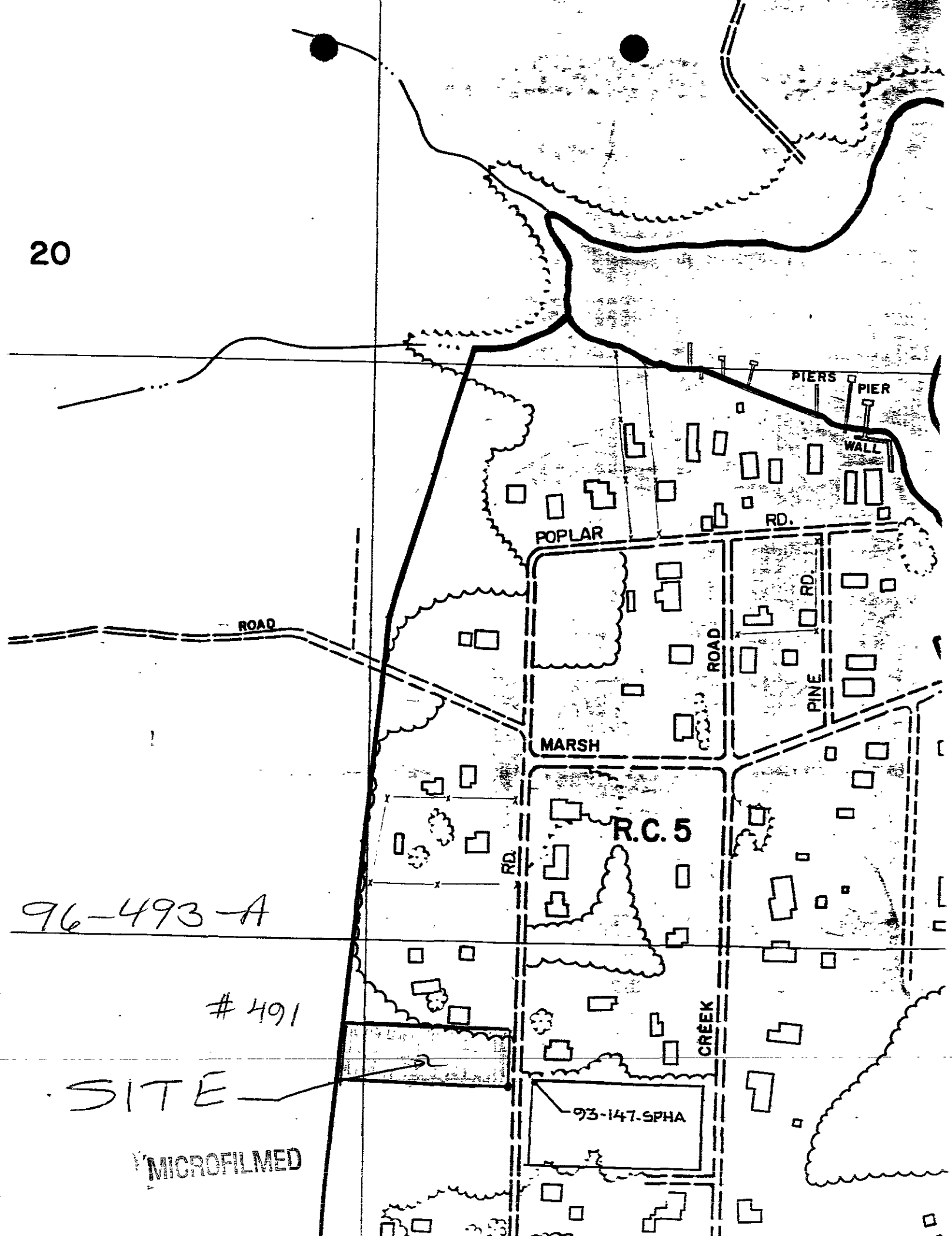
Prior Zoning Hearings: NONE

## Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

491

20



96-493-A

# 491

SITE

MICROFILMED

6A

K LIMITED  
STNERSHIP  
568/906  
67.71A.  
P.210

P.153	MARSH
P.152	P.154 254
P.286	P.156 160
P.151	P.157 P.159
P.150	P.158
P.149	P.164
P.148 (6B)	P.161 P.162
P.147	P.163 (7D)
P.136 (6C)	SUE
131 252	P. 138 139
P.135	247 (7B) 246
9 222	249 245
P.134	(7A) P.281 (7C)
	P/O 248
	137

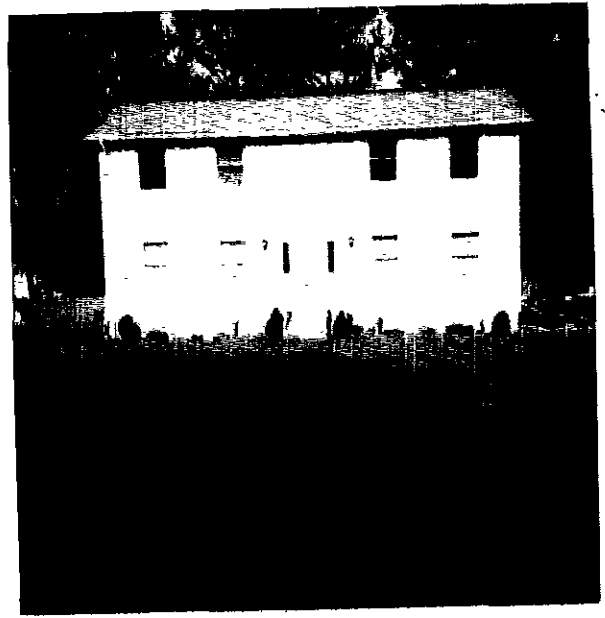
Mr. Ayres 96-493-A

Please note that the 50 scale drawing identifies wetland LB as 5C.

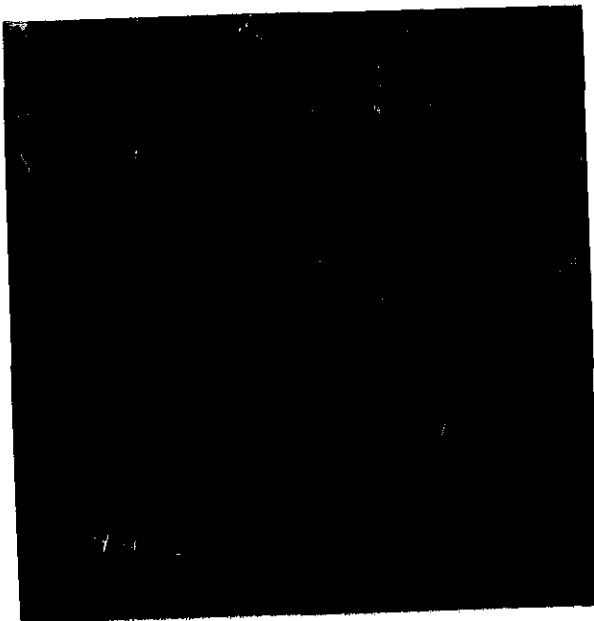
**MICROFILMED**



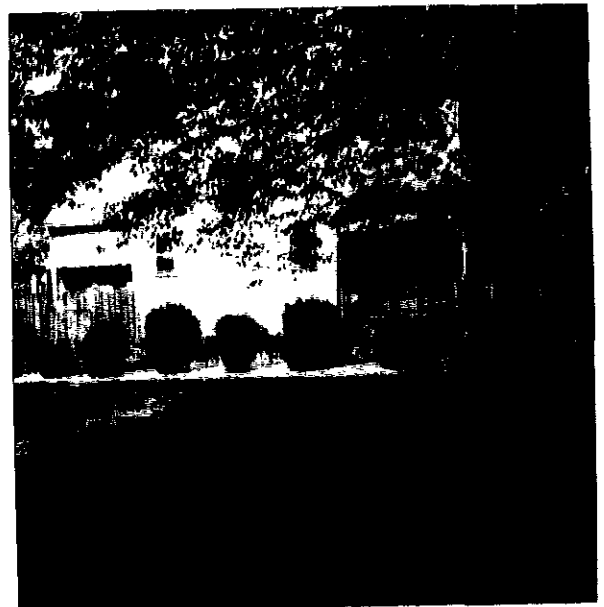
LOT 30



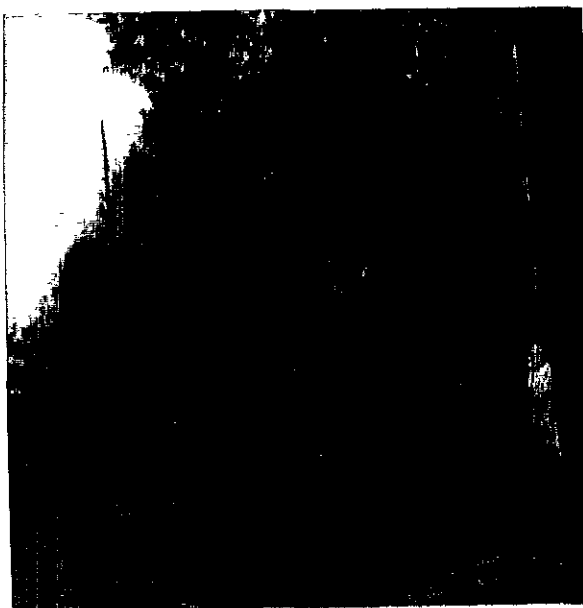
ACROSS STREET LOT 183



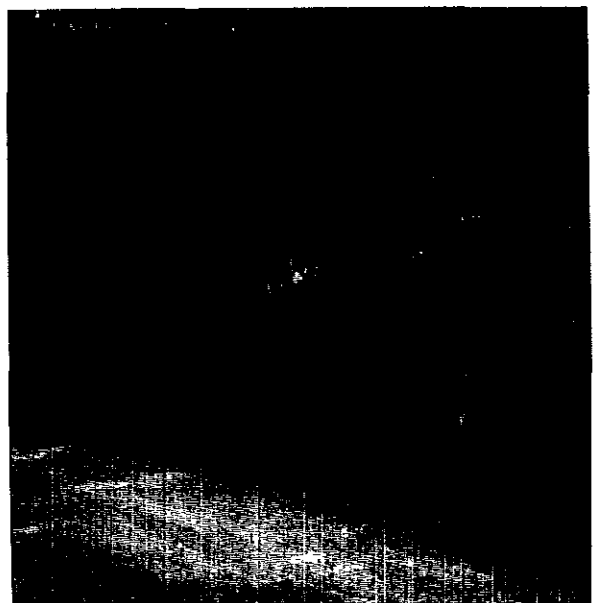
LOTS 28+29



ACROSS STREET LOT 187



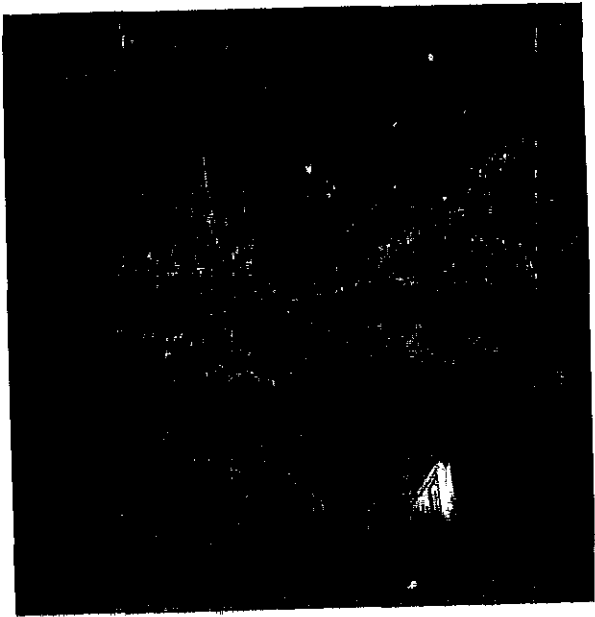
LOTS 28+29  
FRONT VIEW FROM RIGHT CORNER



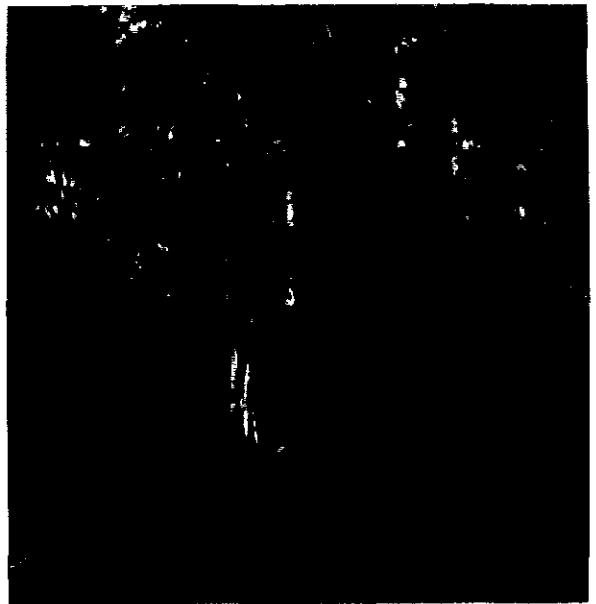
FRONT VIEW LOTS 28+29

MICROFILMED

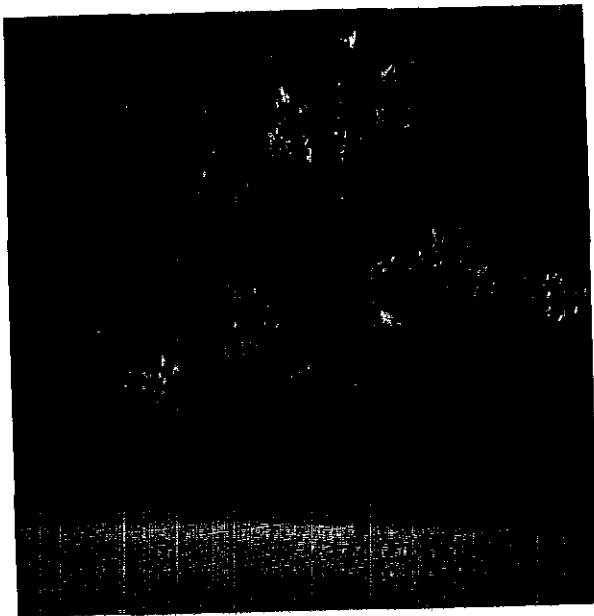
96-493-A



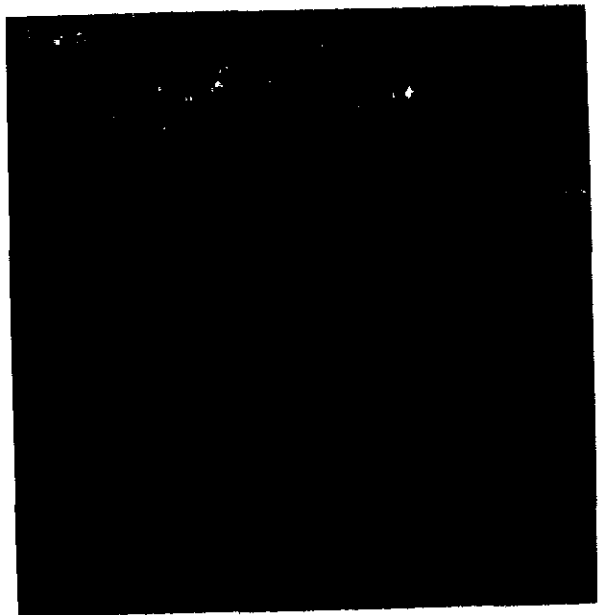
FRONT VIEW <sup>WOODED</sup> LOT 27



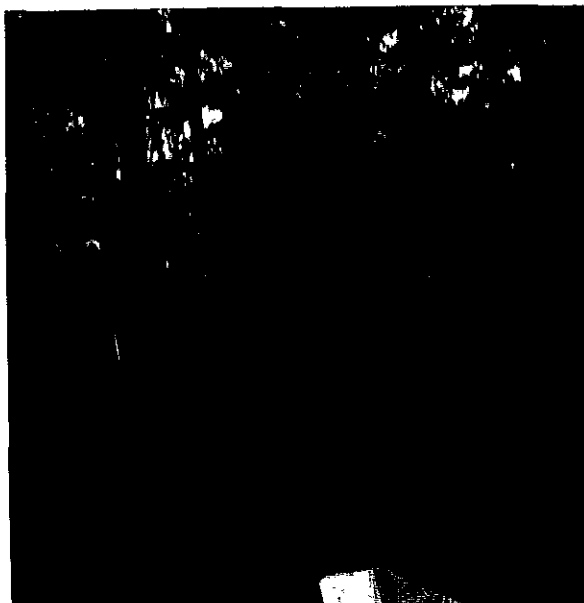
LOTS 28 + 29



LOTS 28 + 29  
FRONT VIEW



LOTS 28 + 29



LOTS 28 + 29

MICROFILMED